

REMARKS

Claims 20-39 are presently in the application. The above amendments are being made to place the application in better condition for examination.

Reconsideration of the rejection of claims 20, 21, and 25-30 under 35 U.S.C. 103(a) as being unpatentable over US 4,063,622 to Coleman et al in view of US 5,348,123 to Takahashi et al is respectfully requested.

Claim 19 as amended is directed to an automatic parking brake, including

a brake piston,

an auxiliary piston,

a hydraulic chamber disposed between the brake piston and the auxiliary piston,

a spring element, for prestressing the auxiliary piston,

a threaded connection disposed in a through bore of the auxiliary piston,

a spindle device connected to the auxiliary piston via the threaded connection *and able to be applied directly against the brake piston*, and

a drive for the spindle device,

wherein in a locked state of the parking brake, the brake piston is mechanically locked via the spindle device and the spring-loaded auxiliary piston, and

in a released state of the parking brake, the auxiliary piston is blocked by means of the spring element and/or by means of the spindle device.

Claim 20 incorporates two distinguishing characteristics. The first characteristic relates to the fact that in the invention, the threaded connection between the spindle device and the

auxiliary piston is furnished in a through bore in the auxiliary piston. This characteristic is disclosed in paragraph [0036] and [0039] of the application as originally filed and can easily be found from Figs. 1 through 5 and 7.

The second characteristic, according to which the spindle device can be applied directly against the brake piston is found from combining the two passages cited on paragraph [0038] and [0045] of the application as originally filed and is moreover shown in Figs. 2, 4 and 5.

In Coleman et al (US 4,063,622), a clutch (25) is actuated by means of a spindle device. A spindle (22) of this spindle device is received rotatably in a receptacle that is located on a side, remote from the brake piston (3) of the auxiliary piston (20). A threaded connection (23) exists between the spindle (22) and a nut (24).

Contrary to amended claim 20, the auxiliary piston (20) of Coleman thus has no threaded connection with the spindle device (22). Moreover, no through bore on the auxiliary piston (20) in which bore the threaded connection is furnished is provided. Moreover, in the known apparatus, the spindle device (23) cannot be applied directly against the brake piston (3), either as required by claim 20.

Takahashi et al (US 5,348,123) discloses a hollow cylinder, closed on one end, as the auxiliary piston (7). This auxiliary piston (7) has no through bore, either. Necessarily, a threaded connection, made in a through bore, between the auxiliary piston (7) and a spindle device (5) is thus lacking. The known spindle device (5) is driven by a spur gear (4). To assure the engagement of the spur gear, the spindle (5) is supported fixedly and rotatably in the

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believes the currently amended claims are distinguished over the references when taken alone or when combined, due to the arrangement of the threaded connection with the spindle device (22) and that the spindle device (23) can be applied directly against the brake piston (3).

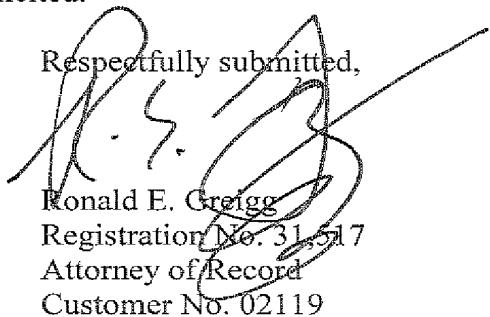
None of the references taken alone or when combined disclose the arrangement recited in claim 20, from which claims 22-24 depend. Therefore, it is respectfully requested that the rejection under 35 USC 103(a) be withdrawn.

Claims 31-33 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been rewritten in the proper form for allowance.

Claims 34-39 have been indicated to be allowable over the prior art of record.

The above amendments are being made to place the application in better condition for examination and allowance.

Entry of the amendment is respectfully solicited.

Respectfully submitted,

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